



28/18

## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:  
Date: October 5, 2005 Name: Joseph F. Hetz, Reg. No. 41,070 Signature:

BRINKS  
HOFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: SUBRAMANIAN ET AL.

Appln. No.: 09/939,498

Examiner: D. Vu

Filed: August 24, 2001

Art Unit: 2818

For: VERTICALLY STACKED FIELD  
PROGRAMMABLE NONVOLATILE  
MEMORY AND METHOD OF  
FABRICATION

Attorney Docket No: 10519/30

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

Transmittal and Response to Election/Restriction Requirement.  
 Return Receipt Postcard

## Fee calculation:

No additional fee is required.  
 Small Entity.  
 An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
 A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_.)  
 An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity		
					Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$	Total	\$	

## Fee payment:

A check in the amount of \$\_\_\_\_\_ is enclosed.  
 Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
 Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

10-5-05

Joseph F. Hetz (Reg. No. 41,070)



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Date of Deposit

Joseph F. Hetz - Reg. No. 41,070

Name of Applicant, Assignee or  
Registered Representative

Signature

Our Case No. 10519-30

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)		
Subramanian et al.	)		
Serial No.:	09/939,498	)	Examiner: D. Vu
Filed:	August 24, 2001	)	Group Art Unit: 2818
For:	Vertically Stacked Field	)	
	Programmable Nonvolatile	)	
	Memory and Method of	)	
	Fabrication	)	

**RESPONSE TO ELECTION/RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Election/Restriction Requirement mailed September 29, 2005,  
Applicants elect Species I (Claims 95-100 and 120-121) without traverse.

Dated: October 5, 2005

Respectfully submitted,

Joseph F. Hetz  
Reg. No. 41,070  
Attorney for Applicants

BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, Illinois 60610